

Docket No. 030299

Serial No. 10/627,531

REMARKS/ARGUMENTS

The Office action dated July 11, 2005 has been carefully considered. Claims 1-24 are active in this application. Further examination and reconsideration of the rejection of claims 1-24 are respectfully requested.

The rejection of claims 1-5, 7-10, 12-19 and 22-24 under 35 U.S.C. 102(b) as being anticipated by Whelan et al. is respectfully traversed. However, in order to further the prosecution of this application, claims 1, 8, 17 and 24 have been amended in order to further distinguish the invention from the cited art. These claims now recite determining "one of a plurality of activation events involving vehicle motion and not having vehicle engine dependence." Further, these claims recite activating a "selected virtual fence, from a plurality of virtual fences." Different types of virtual fences corresponding to various actions events are available under the claimed invention. Whelan fails to teach or suggest such multi-dimensional, comprehensive vehicle surveillance. The system taught in Whelan only constructs a virtual fence in response to vehicle movement or turning a vehicle's engine on or off. Non-vehicle motion events which are not vehicle engine dependent, prompting virtual fence activation such as trailer unhooking and driver initiated action (e.g., entering a code) are neither taught nor suggested by Whelan. Further, Whelan teaches a single virtual fence. A plurality of virtual fences available for activation is neither taught nor suggested by Whelan. Claims dependent from the amended independent claims merely recite limitations in addition to thereto. Therefore, it is respectfully submitted that the subject claims are now patentably distinguishable over Whelan.

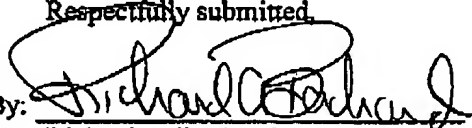
The rejection of claims 6, 11, 20 and 21 under 35 U.S. 103 (a) as being unpatentable over Whelan is respectfully traversed. In view of the above amendment to the independent claims, from which claims 6, 11, 20 and 21 depend, it is respectfully submitted that these dependent claims are likewise patentably distinct from Whelan. Whelan fails to teach, suggest or make obvious, determining "one of a plurality of activation event involving vehicle motion and not having vehicle engine dependence" as recited in claims 1, 8, and 17. Further, Whelan fails to teach, suggest or make obvious a plurality of virtual fences as further recited in claims 1, 8, and 17.

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In view of the amendment and remarks, this case is submitted as being in a condition for allowance. Applicants therefore respectfully request that a timely Notice of Allowance be issued in this case.

Dated: October 11, 2005

Respectfully submitted,  
  
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